

Amendment No. 1 to HB2342

Ramsey
Signature of Sponsor

AMEND Senate Bill No. 2429*

House Bill No. 2342

by deleting all the language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 11, Part 16, is amended by adding the following language as a new section:

68-11-1632

(a) Any existing licensed and operating nursing home may relocate less than all of its licensed beds, but not more than one hundred and forty (140) licensed beds, to a new location if the following conditions are satisfied:

(1) The existing nursing home is licensed for at least four hundred (400) beds by the department of health on the effective date of this act;

(2) The existing nursing home has operated for at least forty-five (45) years at its current location;

(3) The existing nursing home is located in a county with a metropolitan form of government and a population in excess of five hundred thousand (500,000), according to the 2010 federal census or any subsequent federal census;

(4) The proposed location for the partial relocation facility is within the same county as the existing nursing home; and

(5) An application for the qualified partial relocation of the beds is filed with and approved by the health services and development agency pursuant to this part.

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(b) Any applicant seeking approval for a partial relocation facility of beds from the existing nursing home under this section shall agree, in its application to the agency, that at least thirty-one (31) beds sought as part of the proposed partial relocation facility under this section are initially part of a medicare distinct part within the proposed partial replacement facility.

(c) An application for a proposed partial relocation of the existing nursing home facility shall be reviewed by the department and considered by the agency pursuant to § 68-11-1609(b), and shall not be considered new nursing home beds. The criteria of §§ 68-11-1621 and 68-11-1622 shall not apply to an application for a qualified partial relocation of a nursing home filed with the agency pursuant to this section.

(d) Upon full certification for medicare and medicaid of the partial replacement facility, the existing nursing home must immediately take action to reduce its licensed bed capacity to no more than one hundred twenty (120) beds, and shall have no authority to renew the existing nursing home's license after completion of such certification at a capacity greater than one hundred twenty (120) beds, so that after such certification of the partial replacement facility the combined number of licensed beds relocated from the existing nursing home to the partial replacement facility and then remaining at the existing nursing home shall not exceed two hundred sixty (260).

(e) Nothing in this section shall affect a certificate of need project filed before the effective date of this act.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.